

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-02893-TNM**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF STATE
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 09/25/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JUDICIAL WATCH, INC.**

represented by **James F. Peterson**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: jpeterson@judicialwatch.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul J. Orfanedes
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: porfanedes@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF STATE**

represented by **Rebecca Marie Cutri-Kohart**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 514-0265
Fax: (202) 616-8460
Email: rebecca.cutri-kohart@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/25/2019	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF STATE (Filing fee \$ 400 receipt number 0090-6399501) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney for the District of Columbia, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons U.S. Department of State)(Orfanedes, Paul) (Entered: 09/25/2019)
09/25/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Orfanedes, Paul) (Entered: 09/25/2019)
09/25/2019	<u>3</u>	NOTICE of Appearance by James F. Peterson on behalf of JUDICIAL WATCH, INC. (Peterson, James) (Entered: 09/25/2019)

09/30/2019		Case Assigned to Judge Trevor N. McFadden. (zeg) (Entered: 09/30/2019)
09/30/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zeg) (Entered: 09/30/2019)
09/30/2019	<u>5</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 9/30/2019. (lctnm1) (Entered: 09/30/2019)
10/08/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/7/2019. (Answer due for ALL FEDERAL DEFENDANTS by 11/6/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/7/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF STATE served on 10/7/2019 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Orfanedes, Paul) (Entered: 10/08/2019)
11/06/2019	<u>7</u>	NOTICE of Appearance by Rebecca Marie Cutri-Kohart on behalf of All Defendants (Cutri-Kohart, Rebecca) (Entered: 11/06/2019)
11/06/2019	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF STATE.(Cutri-Kohart, Rebecca) (Entered: 11/06/2019)
11/07/2019		MINUTE ORDER. Before the Court are a Complaint and an Answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before November 27, 2019. Signed by Judge Trevor N. McFadden on 11/07/2019. (lctnm1) (Entered: 11/07/2019)
11/07/2019		Set/Reset Deadlines: Joint Status Report due by 11/27/2019. (tg) (Entered: 11/07/2019)
11/27/2019	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Cutri-Kohart, Rebecca) (Entered: 11/27/2019)
11/27/2019		MINUTE ORDER. Upon consideration of the parties' <u>9</u> Joint Status Report, the parties are hereby ORDERED to file a further Joint Status Report on or before January 6, 2020. The status report should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 11/27/2019. (lctnm1) (Entered: 11/27/2019)
12/02/2019		Set/Reset Deadlines: Joint Status Report due by 1/6/2020. (hmc) (Entered: 12/02/2019)
12/09/2019	<u>10</u>	Consent MOTION to Amend/Correct <i>for Leave to File Amended Complaint</i> by JUDICIAL WATCH, INC. (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Text of Proposed Order)(Peterson, James) (Entered: 12/09/2019)
12/10/2019		MINUTE ORDER denying Plaintiff's <u>10</u> Consent Motion for Leave to File Amended Complaint. Plaintiff was directed to comply with the Court's <u>5</u> Standing Order, including Paragraph 6, which requires any amended pleadings to be accompanied by a redline comparison of the original and amended pleading. Plaintiff may re-file its motion with the accompanying amended complaint and redline comparison. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/10/2019. (lctnm1) (Entered: 12/10/2019)

12/10/2019	<u>11</u>	Consent MOTION to Amend/Correct <i>for Leave to File Amended Complaint</i> by JUDICIAL WATCH, INC. (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Redline of Complaint, # <u>3</u> Text of Proposed Order)(Peterson, James) (Entered: 12/10/2019)
12/11/2019		MINUTE ORDER granting Plaintiff's <u>11</u> Consent Motion for Leave to File Amended Complaint. The Clerk of Court is directed to docket ECF 11-1 as Plaintiff's Amended Complaint. Defendant shall answer or otherwise respond to the Amended Complaint on or before December 26, 2019. The parties are advised to follow the Court's Minute Order dated November 27, 2019, and file a Joint Status Report in compliance with that Order on or before January 6, 2020. SO ORDERED. Signed by Judge Trevor N. McFadden on 12/11/2019. (lctnm1) (Entered: 12/11/2019)
12/11/2019	<u>12</u>	AMENDED COMPLAINT against U.S. DEPARTMENT OF STATE filed by JUDICIAL WATCH, INC. (zthh) (Entered: 12/13/2019)
12/16/2019		Set/Reset Deadlines: Defendant's answer to the Amended Complaint due by 12/26/2019. (hmc) (Entered: 12/16/2019)
12/20/2019	<u>13</u>	ANSWER to <u>12</u> Amended Complaint by U.S. DEPARTMENT OF STATE.(Cutri-Kohart, Rebecca) (Entered: 12/20/2019)
01/06/2020	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Cutri-Kohart, Rebecca) (Entered: 01/06/2020)
01/06/2020		MINUTE ORDER. Upon consideration of the parties' <u>14</u> Joint Status Report, the parties are hereby ORDERED to file a further Joint Status Report on or before February 6, 2020. The status report should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. SO ORDERED. Signed by Judge Trevor N. McFadden on 1/6/2020. (lctnm1) (Entered: 01/06/2020)
01/06/2020		Set/Reset Deadlines: Joint Status Report due by 2/6/2020. (hmc) (Entered: 01/06/2020)
02/06/2020	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Cutri-Kohart, Rebecca) (Entered: 02/06/2020)
02/07/2020		MINUTE ORDER. Upon consideration of the parties' <u>15</u> Joint Status Report, Defendant shall process at least 500 pages of requested records and produce responsive records on or before March 30, 2020. The parties are hereby ORDERED to file a Joint Status Report on or before April 17, 2020. The status report should address, among other things, the status of Plaintiff's FOIA request and the anticipated date(s) for release of the remaining documents requested by Plaintiff. SO ORDERED. Signed by Judge Trevor N. McFadden on 2/7/2020. (lctnm1) (Entered: 02/07/2020)
02/07/2020		Set/Reset Deadlines: Defendant's responsive records due by 3/30/2020. Joint Status Report due by 4/17/2020. (hmc) (Entered: 02/07/2020)
03/24/2020	<u>16</u>	Unopposed MOTION to Stay <i>and for an MOTION for Extension of Time of Processing, Production, and Reporting Deadlines in Light of the COVID-19 Pandemic's Effect on Federal Government Operations</i> by U.S. DEPARTMENT OF STATE (Attachments: # <u>1</u> Declaration of Eric F. Stein, # <u>2</u> Text of Proposed Order)(Cutri-Kohart, Rebecca). Added MOTION for Extension of Time to on 3/25/2020 (eg). (Entered: 03/24/2020)
03/25/2020		MINUTE ORDER granting Defendant's <u>16</u> Unopposed Motion to Stay. It is ORDERED that Defendant's processing and production deadlines for records responsive to Plaintiff's FOIA request are STAYED. The parties shall file their next joint status report on or before May 25, 2020, addressing Defendant's ability to continue processing Plaintiff's FOIA request. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/25/2020. (lctnm1) (Entered: 03/25/2020)
03/26/2020		Set/Reset Deadlines: Joint Status Report due by 5/25/2020. (hmc) (Entered: 03/26/2020)

05/25/2020	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF STATE. (Cutri-Kohart, Rebecca) (Entered: 05/25/2020)
05/26/2020		MINUTE ORDER. Upon consideration of the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that the stay is LIFTED, and further ORDERED that Defendant shall resume processing responsive records. Defendant shall process 500 pages of potentially responsive records and release any non-exempt, responsive records to Plaintiff on or before June 26, 2020. It is further ORDERED that the parties shall submit a Joint Status Report by July 2, 2020, with a recommendation for further processing and reporting. SO ORDERED. Signed by Judge Trevor N. McFadden on 5/26/2020. (lctnm1) (Entered: 05/26/2020)
05/26/2020		Set/Reset Deadlines: Defendant's responsive records due by 6/26/2020. Joint Status Report due by 7/2/2020. (hmc) (Entered: 05/26/2020)
07/02/2020	<u>18</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Peterson, James) (Entered: 07/02/2020)
07/06/2020		MINUTE ORDER. Upon consideration of the parties' <u>18</u> Joint Status Report, the parties shall submit a further Joint Status Report with a recommendation for further proceedings on or before October 9, 2020, or three weeks after Defendant enters Phase III of reopening, whichever comes first. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/6/2020. (lctnm1) (Entered: 07/06/2020)
07/06/2020		Set/Reset Deadlines: Joint Status Report due by 10/9/2020. (hmc) (Entered: 07/06/2020)